
March 11, 2024

The City Council of the City of Sulphur, Louisiana, met in regular session at its temporary location located at 1551 East Napoleon Street in the Council Chambers, Sulphur, Louisiana, on March 11, 2024, at 5:30 p.m., after full compliance with the convening of said meeting with the following members present:

DRU ELLENDER, Council Representative of District 1
NICK NEZAT, Council Representative of District 2
MELINDA HARDY, Council Representative of District 3
JOY ABSHIRE, Council Representative of District 4
MANDY THOMAS, Council Representative of District 5

After the meeting was called to order and the roll called with the above result, prayer was led by Mrs. Hardy, followed by the reciting of the Pledge of Allegiance led by Mr. Nezat.

The Chairman asked if there were any changes to the minutes of the previous meeting. With no changes made, motion was made by Mrs. Hardy seconded by Mrs. Thomas that the minutes stand as written. Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that item #1 be removed from the agenda:

Proclamation to Sulphur High School Twisters.

Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mr. Nezat that item #1 be added to the agenda:

Clayton Davis, candidate for 3rd Circuit of Appeal.

There were no comments from the public.

Motion carried unanimously.

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that item #15 be removed from the agenda:

Resolution authorizing the advertisement of bids for reconstruction of Animal Control.

Motion carried unanimously.

Motion was then made by Mrs. Hardy seconded by Mr. Nezat that the agenda stand as amended.

Motion carried unanimously.

The first item on the agenda Clayton Davis, candidate for 3rd Circuit of Appeal. Mr. Davis addressed the Council and Mayor and gave a brief history/background of himself. He asked for everyone's support in the upcoming election.

The next item on the agenda is a public hearing on ordinance authorizing Mayor Danahay to enter into an Agreement with Entergy Louisiana, LLC, for a right of way to conduct various studies and surveys for a proposed transmission line for Lake Charles Methanol located on Bayou D'Inde Road. Mr. Abraham's, Director of Public Works, stated that this will only allow a right of way for Entergy to do survey's and to see if they can supply power for future projects in this area. Cindy Robertson, West Verdine Street, addressed the Council and stated that Lake Charles Methanol has been trying for years to get this project started and it has failed. This will add to the pollution and detrimental to health. This is not in the public interest and this project hasn't even been submitted to DEQ for permitting. Mayor Danahay stated that this is by Animal Control on Bayou D'Inde Road by a heavy industrial area. James LeDoux, North Claiborne Street, addressed the Council and stated that Louisiana Pigment is next door to Animal Control, and they'll have to give their approval also. This is only preliminary work. They have lots of work to do before construction will even start. He supports this project. After discussion, motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be adopted to-wit:

ORDINANCE NO. 1897, M-C SERIES

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAHAY TO ENTER INTO AN AGREEMENT WITH ENTERGY LOUISIANA, LLC, FOR A RIGHT OF WAY TO CONDUCT VARIOUS STUDIES AND SURVEYS FOR A PROPOSED TRANSMISSION LINE FOR LAKE CHARLES METHANOL LOCATED ON BAYOU D'INDE ROAD.

WHEREAS, the City of Sulphur desires to enter into an Agreement with Entergy Louisiana, LLC, for a right of way to conduct various studies and surveys for a proposed transmission line for Lake Charles Methanol located on Bayou D'Inde Road as shown on Exhibit A and B, attached hereto.

NOW, THEREFORE, BE IT ORDAINED that Mayor Mike Danahay is hereby authorized and empowered, in accordance with the Home Rule Charter, to execute said Agreement.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance authorizing Mayor to enter into Cooperative Endeavor Agreement with Consolidated Gravity Drainage District No. 1 of Calcasieu Parish related to drainage improvement projects including land acquisition and related matters (property located on west end of Urban Street). Cade Cole, City Attorney, stated that this property is needed to alleviate all the flooding this area. This property has over 100 owners and it's a big mess. We will expropriate for a much shorter time frame. Motion was then made by Mrs. Hardy seconded by Mrs. Abshire that the following ordinance be adopted to-wit:

ORDINANCE NO. 1898, M-C SERIES

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH CONSOLIDATED GRAVITY DRAINAGE DISTRICT NO. 1 OF CALCASIEU PARISH RELATED TO DRAINAGE IMPROVEMENT PROJECTS INCLUDING LAND ACQUISITION AND RELATED MATTERS FOR PROERTY LOCATED ON THE WEST END OF URBAN STREET.

WHEREAS, this Cooperative Endeavor Agreement is entered into under the authority of the Constitution and laws of the State of Louisiana, including specifically Article 7, Section 14 of the 1974 Louisiana Constitution in order to provide property drainage to their citizens and for the acquisition of the following property for drainage improvements within the territory of the City and District:

SEE ATTACHED PROPERTY DESCRIPTION

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Mike Danahay to enter into a Cooperative Endeavor Agreement with Consolidated Gravity Drainage District No. 1 of Calcasieu Parish related to drainage improvement projects including land acquisition and related matters for property located on the west end of Urban Street.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance authorizing action pursuant to R.S. 19:134.1 for land acquisition due to public necessity for pending drainage projects (property located on west end of Urban Street). Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be adopted to-wit:

ORDINANCE NO. 1899, M-C SERIES

ORDINANCE AUTHORIZING ACTION PURSUANT TO R.S. 19:134.1 FOR LAND ACQUISITION DUE TO PUBLIC NECESSITY FOR PENDING DRAINAGE PROJECTS FOR PROPERTY LOCATED ON THE WEST END OF URBAN STREET.

WHEREAS, Pursuant to R.S. 19:134.1 the City of Sulphur finds the following property acquisition necessary to provide proper drainage to the citizens of Sulphur:

SEE ATTACHED PROPERTY DESCRIPTION

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize action pursuant to R.S. 19:134.1 for land acquisition due to public necessity for pending drainage projects for property located on the west end of Urban Street.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a public hearing on ordinance amending Chapter 20, Section 35 of the Code of Ordinances of the City of Sulphur – Businesses where licenses are based on flat fees – Special Event License. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be adopted to-wit:

ORDINANCE NO. 1900, M-C SERIES

AN ORDINANCE AMENDING CHAPTER 20, SECTION 35 OF THE CODE OF
ORDINANCES OF THE CITY OF SULPHUR – BUSINESSES WHERE LICENSES ARE
BASED ON FLAT FEES – SPECIAL EVENT LICENSE.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby amend Chapter 20, Section 35 of the Code of Ordinances of the City of Sulphur to read as follows:

Sec. 20-35. Businesses where licenses are based on flat fees.

The following types of businesses shall obtain an annual license based on the flat fee designated hereafter. For purposes of this section, the minimum tax noted in section 20-20 for most new businesses for the first year of commencement or fractional part thereof does not apply.

- (1) *Private banking or investment banking business.*
 - a. For each business of carrying on a private banking house, business or agency, investment banking house, business or agency, a license based on flat fee of five hundred dollars (\$500.00) shall be required.
 - b. The term "investment banking" means a business that is carried on through the purchase of underwriting of security issues and their subsequent sale to investors.
- (2) *Pawnbrokers and persons lending money on wages or salaries.* For each and every pawnbroker, or person keeping a loan office and engaged in lending money on articles pawned or pledged and for each and every money broker, money lender, or person lending money on, or purchasing time, wages, or salaries of laborers, clerks, or other wage earners or other persons, whether the same be earned or unearned, and whether the business is conducted in an office or otherwise, a license based on a flat fee of one thousand dollars (\$1,000.00) shall be required. Persons licensed under this category may conduct retail sales, provided that the gross receipts from such sales do not exceed one hundred thousand dollars (\$100,000.00). If the gross receipts from retail sales exceed one hundred thousand dollars (\$100,000.00), a retail license is required. Such retail license shall be based on the sum of the gross receipts of the retail sales and on one-third of the total amount of the money loaned. The license fee shall be based on the rates listed in the table in section 20-30.

(3) *Peddlers and itinerant vendors.*

- a. All peddlers, hawkers, itinerant vendors, and every person who displays samples, models, goods, wares, or merchandise on a temporary basis in any hotel, motel, store, storehouse, house, vehicle, or any other place, for the purpose of securing orders for the retail sale of such goods, wares, or the like kind or quality, either for immediate or future delivery shall obtain a license based on a fee of fifty dollars (\$50.00) provided that an itinerant vendor of agricultural products purchased directly from farmers or an itinerant vendor of seafood products who has either harvested the seafood himself or has purchased the seafood directly from commercial fishermen or shrimpers shall obtain a license based on a flat fee of one hundred dollars (\$100.00).
- b. This section does not apply to the following classes: Those persons making house-to-house or personal calls displaying samples and taking orders for shipment directly from the manufacturer; those persons making a business call or visit upon the verbal or written invitation of the inhabitant of the premises; those persons, or their representatives, engaged in the business of selling at wholesale, from a fixed place of business in this state, to licensed retail dealers; and vendors, or their agents or vendors, or their agents or representatives, in the sale or delivery of petroleum products when drawn, conveyed, and distributed from a stock maintained at a warehouse, distributing station, or established place of business.
- c. City police and other authorized officers shall require all peddlers to exhibit their occupational license. The license shall indicate thereon the motor vehicle license number. They shall seize the merchandise and any vehicle or other conveyance used by the peddler to peddle the same, if the peddler fails or refuses to exhibit his license. All property seized shall be turned over to a court of competent jurisdiction, to be sold according to law, to satisfy the license due and enforce the privilege therefor. The rights of the holder of a chattel mortgage note or any vehicle seized shall not be affected or prejudiced as a result of the seizure.
- d. Whoever shall sell goods, wares, and merchandise as a peddler without first obtaining the license herein required shall be guilty of a misdemeanor and upon conviction shall be fined not less than five hundred dollars (\$500.00) or shall be imprisoned not more than sixty (60) days, or both.

(4) *Mechanical or electronic amusement machines or devices.*

- a. Every person engaged in the business of operating any coin-operated mechanical or electronic device shall pay a license of fifty dollars (\$50.00) for each such device.
- b. The provisions of this subsection shall not apply in cases where the person engaged in the business of operating such mechanical devices is operating same under a written contract with and is solely sponsored by a nonprofit corporation for the purpose of conducting a fair, festival, or trade show which has as one (1) of its objectives the promotion of agricultural and agri-industrial products. For the purposes of this subsection, the term nonprofit corporation shall be construed to mean only a nonprofit corporation which:
 1. Was organized under the provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950 prior to January 1, 1969; and,
 2. Holds membership in good standing in an association organized for the purposes of promoting fairs, festivals, and trade shows in the state.
- c. For the purpose of this subsection, a "coin-operated mechanical amusement device" is any machine or device operated by depositing a coin, token, slug, or similar object for the placing of the device in readiness of play. This definition includes, but is not limited to, the following devices: video games, merry-go-rounds, mechanical hobby horses, juke boxes, pool tables, domino tables, bowling alleys, blood pressure monitors, and pulse rate monitors.

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- d. All such mechanical amusement devices subject to tax under this subsection and which do not return to the operator or player thereof anything but free additional games or plays or, through the exercise of the skill of the operator or player, a merchandise prize, shall not be deemed to be classed as gambling devices, and neither this section nor any other Act shall be construed to prohibit same. Payment of the tax imposed by this subsection shall not be held to legalize the operation of any machine or device defined herein which is prohibited by law. This subsection shall not be held to repeal any provisions of any law prohibiting the operation, possession, or use of any such machine or device.
- (5) *Evidence of payment.* The payment of the taxes levied by this section shall be evidenced by a certificate of tax payment, or a stamp, or similar evidence of tax payment which shall be issued by the collector. The certificate of payment shall be securely affixed or attached to each machine or other device with respect to which a tax has been paid, or if such certificate cannot be affixed, shall be prominently posted in the place in which the machine or device is located and near to such machine or device. If a machine or device is replaced by another, such other machine or device shall not be considered an additional device service. Certificates of tax payment or stamps are not transferable from one (1) taxing jurisdiction to another.
- (6) *Forfeitures.*
- a. Any machine or other device, on which taxes are imposed by subsection (4), which shall be found in possession or custody or within the control of any person for the purpose of being operated or permitted to be operated without having a certificate of tax payment, or a stamp or similar evidence of tax payment, issued by the collector, affixed or attached thereto, or prominently posted in the place in which the machine or device is located and near to such machine or device, may be seized by the collector of revenue, or his agent, in order to secure the same for trial, and the same shall be forfeited to the collector. The collector or his agent making the seizure shall appraise the value of the machine or other device according to his best judgment and shall deliver to the person, association of persons, firm or corporation, if any, found in possession of the machine or other device, a receipt showing the fact of seizure stating from whom seized, the place of seizure, and description of the machine or the device, and appraised value and a duplicate of said receipt shall be filed in the office of the collector and shall be open to public inspection.
- b. 1. The proceeding to enforce such forfeiture shall be by rule and be in the nature of a proceeding in a court of competent jurisdiction where such seizure is made. The proceeding shall be filed by the collector, or his assistant or attorney on behalf of the city, and the same shall be summary, and it may be tried out of term time and in chambers, and shall always be tried by preference. Whenever the petition for rule shall be sworn to by the collector of revenue, or his assistant or his attorney, that the facts contained in such petition are true, and accompanied with a duplicate copy of notice of the seizure, the same shall constitute a prima facie case, but may be rebutted by the defendant.
2. The proceeding shall be directed against the person operating or permitting the operation of the article seized, demanding the forfeiture and sale of the property, as a penalty for the violation of this section. Service of the proceeding shall be made upon the persons operating or permitting the operation of the articles seized, demanding the forfeiture and sale of the property, as a penalty for the violation of this section. Service of the proceeding shall be made upon the person operating or permitting the operation of the seized articles if he is a resident of this state, or his residence is known to the plaintiff in rule. In all cases where it is made to appear by affidavit that the residence of the person operating or permitting the operation of the seized articles is out of the state or unknown to the collector or his assistants or his attorney, an attorney-at-law shall be appointed by the courts, which has

jurisdiction of the proceedings, to represent the person operating and permitting the operations, against whom the rule shall be tried contradictorily within ten (10) days from the date of the filing of same. The affidavit may be made by the collector, or one (1) of his assistants, or by the attorney representing the collector, if it be not convenient to obtain the affidavit of the collector. The attorney so appointed to represent the person operating or permitting the operation of the seized articles may waive service and citation of the petition or rule, but he shall not waive time nor any legal defense.

3. Upon the trial of the proceedings, if it is established by satisfactory proof that with respect to the articles under seizure that this section has been violated in any respect, then the court shall render judgment accordingly, maintaining the seizure, declaring the forfeiture of the seized property other than cash, and after ten (10) days notice of advertisement at least twice in the official journal of the city permitting the sale of the articles at public auction; it being the intent and purpose of this proceeding to afford the person operating in permitting the operation of the seized article a fair opportunity of hearing in a court of competent jurisdiction. It is further the intent and purpose of this proceeding that the forfeiture and sale of the seized property shall be and operate as a penalty for the violation of this section as aforesaid, and payment of the tax due on the seized articles at the moment of seizure or thereafter shall not operate to prevent, abate, or discontinue, or defeat the forfeiture and sale of the property. The court may fix the fee of the attorney appointed by the court to represent the owner of the seized articles at a nominal sum to be taxed as costs and to be paid out of the proceeds of the sale of the property.
- c. In cases where, in the opinion of the trial judge, the value of the seized machine or other device is so small as not to justify the expense of advertising and selling at public auction the seized commodities as hereinabove provided, the court may in any such case, in rendering judgment maintaining the seizure and declaring the forfeiture of the seized property, direct that the seized property be sold by the collector at private sale, without advertisement, but shall direct that the seized property be not thus sold for a price less than a minimum figure to be fixed by the court in its judgment.
- d. Forfeiture of the machine or other device and its contents to the collector, as herein provided, shall not prevent any auction by the collector to recover from the persons liable any taxes incurred.
- (7) *Professional sports.* For each person owning or carrying on a business known as "professional sports" a license based on a flat fee of one thousand dollars shall be required. By way of extension and not of limitation, the business of "professional sports" shall include football, basketball, and baseball games, where the individual participants are paid for their services. Sporting events that are provided for by special laws are exempt under this section.
- (8) *Circuses, concerts, carnivals and special events.* For each person operating a circus, carnival, or other traveling show, and for each person or organization sponsoring a concert or other special event, including, but not limited to, gun shows, arts and crafts fairs, and antique shows, a license based on a flat fee of two hundred fifty dollars (\$250.00) shall be required. This license shall be issued by the city. The license for a circus, concert or carnival shall be good for a period of ten (10) days. The license for a special event shall be good for a period of one year. Should the person or organization move the circus, concert, or other event to another jurisdiction in the state, a new license shall be required by that jurisdiction. The sponsor or organizer shall be responsible for all additional regulatory agency certificates and documentation.

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- (9) *Hotels, motels, rooming houses, boarding houses.* Any person operating a hotel, motel, rooming house, or boarding house shall pay an annual license tax of two dollars (\$2.00) for each sleeping room contained by the hotel, motel, rooming house, or boarding house.
- (10) *All other businesses.* For all businesses not otherwise covered by or specifically exempted under this section, including, but not limited to, printers, lithographers, attorneys-at-law, accountants, oculists, physicians, osteopaths, dentists, chiropractors, bacteriologists, veterinarians, chemists, architects, and civil, mechanical, chemical or electrical engineers engaged in the practice of their profession as an individual, or as a firm, partnership, or corporation, the license shall be one-tenth ($\frac{1}{10}$) of one (1) percent of the annual gross receipts for professional fees for services rendered by the taxpayer, with a minimum tax of fifty dollars (\$50.00) and a maximum tax of two thousand dollars (\$2,000.00). The tax levied herein shall be levied only on the business and not separately on any individual who is employed by or is a member of the taxpayer which conducts its business as a firm, partnership, or corporation.
- (11) *Video draw poker devices.*
- Every person engaged in the business of operating video draw poker devices as defined and licensed by the state, shall pay to the city a license of fifty dollars (\$50.00) for each such device operating within the city limits.
 - The license shall be due on or before January 1st of each year for that calendar year. If a device is installed during the year, the license fee of fifty dollars (\$50.00) shall be paid in full for any remaining part of a calendar year.
 - All devices shall be subject to the fifty dollars (\$50.00) license fee upon approval and implementation of this section for the current year remaining.

BE IT FURTHER ORDAINED that this Ordinance shall become effective July 15, 2024.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said ordinance was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution declaring the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located at 627 Urban Street. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3576, M-C SERIES

Resolution declaring the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located at 627 Urban Street.

WHEREAS, the City of Sulphur does declare the intent to acquire a full ownership interest of the below-described property:

ASSESSMENT NUMBER - 00662909
@340910-1955- 0006 0000
-627 URBAN STREET-
LOT 6 URBAN PINES ANNEX
IMPS/REB
REF1-LAWRENCE EDWARD NIX B 1810 P 503-84

MUNICIPAL ADDRESS OF PROPERTY:
627 URBAN STREET
SULPHUR, LA

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby declare the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located at 627 Urban Street – Assessment Number 00662909.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas
NAYS: None
ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to acquire full ownership interest of adjudicated property located at 627 Urban Street. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACQUIRE FULL OWNERSHIP INTEREST OF ADJUDICATED PROPERTY LOCATED AT 627 URBAN STREET.

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in the “American Press”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACQUIRE FULL OWNERSHIP INTEREST OF ADJUDICATED PROPERTY LOCATED AT 627 URBAN STREET.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of April, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried unanimously.

The next item on the agenda is a resolution declaring the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located in the 600 block of Urban Street – Assessment Number 00483125A. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3577, M-C SERIES

Resolution declaring the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located in the 600 block of Urban Street.

WHEREAS, the City of Sulphur does declare the intent to acquire a full ownership interest of the below-described property:

ASSESSMENT NUMBER: 00483125A

@340910-0000-140001204 0000 H

COM SE COR NW NE 34.9.10, TH N 180 FT M/L TO N R/W LINE URBAN ST, W 106 FT ETC LESS COMM AT PT 140 FT N OF SE COR OF NW NE SECT 34.9.10, TH N 20 FT TH W 106 FT TH S 40 FT TH E 91 FT TH N 20 FT TH E 15 FT TO POC

REF1-REDEEMED FROM STATE IN NAME OF DAVID LOUIS FONTENOT FOR 1985
TAXES B 2093 P 490, B 1961 P 318, B 2094 P 5, B 2091 P 320-88

MUNICIPAL ADDRESS OF PROPERTY:
600 BLOCK OF URBAN STREET
SULPHUR, LA

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana,
the governing authority thereof, that they do hereby declare the intent of the City of Sulphur to acquire a full
ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located in the 600
block of Urban Street - Assessment Number 00483125A.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign
Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to acquire full ownership interest of
adjudicated property located in the 600 block of Urban Street - Assessment Number 00483125A. Motion was
made by Mrs. Abshire seconded by Mrs. Thomas that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE
ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACQUIRE
FULL OWNERSHIP INTEREST OF ADJUDICATED PROPERTY LOCATED IN THE 600
BLOCK OF URBAN STREET - ASSESSMENT NUMBER 00483125A.

Motion was then made by Mrs. Abshire seconded by Mrs. Thomas that the said ordinance be
filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the
Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above
proposed ordinance in the "American Press", the official journal of the City of Sulphur, Louisiana, and
that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACQUIRE FULL OWNERSHIP INTEREST OF ADJUDICATED PROPERTY LOCATED IN THE 600 BLOCK OR URBAN STREET - ASSESSMENT NUMBER 00483125A.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of April, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried unanimously.

The next item on the agenda is a resolution declaring the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located at 1213 West Crocker Street. Mr. Nezat asked Mr. Cole what this property would be used for. Mr. Cole said to put back in commerce. Motion was made by Mrs. Abshire seconded by Mrs. Thomas that the following resolution be adopted to-wit:

RESOLUTION NO. 3578, M-C SERIES

Resolution declaring the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located at 1213 West Crocker Street.

WHEREAS, the City of Sulphur does declare the intent to acquire a full ownership interest of the below-described property:

ASSESSMENT NUMBER: 00657913

@340910-2066-6 000201 0000

@340910-2066-6 000301 0000

S 5 FT LOT 2, N 55 FT LOT 3 BLK 6 WESTFIELD ADD NO 1

REF1-GUIDRY, JIMMY DALE ET UX B 1858 P 627-85

REF2-HARDY, CURTIS CRAIG ET UX B 2602 P 289-96

MUNICIPAL ADDRESS:

1213 WEST CROCKER STREET

SULPHUR, LA

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby declare the intent of the City of Sulphur to acquire a full ownership interest of adjudicated property from Calcasieu Parish Police Jury for property located at 1213 West Crocker Street - Assessment Number 00657913.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is an introduction of ordinance authorizing Mayor Mike Danahay to sign Cooperative Endeavor Agreement with Calcasieu Parish Police Jury to acquire full ownership interest of adjudicated property located at 1213 West Crocker Street. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following ordinance be introduced:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACQUIRE FULL OWNERSHIP INTEREST OF ADJUDICATED PROPERTY LOCATED AT 1213 WEST CROCKER STREET.

Motion was then made by Mrs. Abshire seconded by Mrs. Hardy that the said ordinance be filed and remain on file with the Clerk of the Council, in final form, for public inspection and that the Mayor is hereby authorized and instructed to publish the Public Notice of Introduction of the above proposed ordinance in the “American Press”, the official journal of the City of Sulphur, Louisiana, and that the said Notice of Introduction of the above ordinance is substantially in the following form:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given, in accordance with Section 2-12B of the Home Rule Charter of the City of Sulphur, the following ordinance:

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAY TO SIGN COOPERATIVE ENDEAVOR AGREEMENT WITH CALCASIEU PARISH POLICE JURY TO ACQUIRE FULL OWNERSHIP INTEREST OF ADJUDICATED PROPERTY LOCATED AT 1213 WEST CROCKER STREET.

A public hearing on said ordinance will be held at 5:30 p.m. on the 8th day of April, 2024, in the Council Chambers at their temporary location, 1551 East Napoleon Street, Sulphur, Louisiana.

CITY OF SULPHUR, LOUISIANA

BY: _____

DRU ELLENDER, Chairman

Motion carried unanimously.

The next item on the agenda is a Rule to Show Cause for the condition of the following addresses:

- a. To condemn building or structure located at 2916 Weil Drive, in accordance with Article IX, Section 5-286 through 5-296 of the Code of Ordinances

Gary Young, representing US Bank in foreclosure, addressed the Council and said they need 1 to 2 months to secure the house and fill in the pool. They are almost done with the foreclosure process. Mrs. VanderHey, Ordinance Enforcement, asked the Council to condemn it. This will give them 30 days to secure the house and fill in the pool. If not done within the 30 days, then she can get bids to start the process. Mrs. Abshire stated that it's ball season and McMurry park is just across the street from this house. If a kid has an accident on this property, then this company could be liable for all accidents. Mrs. Thomas stated that the Council gave 90 days back in December, 2023 and nothing has been done. This is a major safety issue. At this time Cade Cole, City Attorney, stated that if in 30 days they don't have it secure then they can come back in April and ask for an extension. Motion was then made by Mrs. Thomas seconded by Mr. Nezat that the above address be condemned.

Motion carried unanimously.

The next item on the agenda is a Rule to Show Cause for Dead or Diseased Tree Removal on private property for the following addresses:

- a. To remove dead or diseased tree located at 2048 Louise Street, in accordance with Chapter 17, Article I of the Code of Ordinances. (Joy Abshire)

Mrs. Abshire stated that the trees were removed over the weekend. No action is needed.

The next item on the agenda is a resolution appointing a member to fill the unexpired term of Robin Baudoin – Land Use Commissioner for District 4. Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3579, M-C SERIES

Resolution appointing Eddie LeBlanc to fill the unexpired term of Robin Baudoin to the Land Use Commission and Board of Zoning Adjustment.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby appoint Eddie LeBlanc to fill the unexpired term of Robin Baudoin to the Land Use Commission and Board of Zoning Adjustment.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a resolution to release State Fire Marshal and any other State entity from responsibility or liability for those inspections performed by the fire prevention bureau, or the consequences thereof, within the jurisdiction of the City of Sulphur. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3580, M-C SERIES

Resolution to release State Fire Marshal and any other State entity from responsibility or liability for those inspections performed by the fire prevention bureau, or the consequences thereof, within the jurisdiction of the City of Sulphur.

At a meeting of the Sulphur City Council of the City of Sulphur, held at 1551 East Napoleon Street, Sulphur, Louisiana, on Monday, March 11, 2024.

A resolution assuming responsibility and liability for inspections conducted by the City of Sulphur Fire Department.

WHEREAS, the Sulphur City Council of the City of Sulphur, does hereby find as follows:

WHEREAS, the Sulphur City Council created the Sulphur Fire Department to conduct fire safety inspections within the city of Sulphur; and

WHEREAS, the Sulphur Fire Department was created in pursuit to Louisiana R.S. 40:1563.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby assume all responsibility and liability for and releases the fire marshal and any other State entity from responsibility or liability for those inspections performed by the City of Sulphur Fire Department, or the consequences thereof, within the City of Sulphur.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is a accepting Substantial Completion for ST24-1 Sulphur 2023 Street Pavement Marking Improvements. Motion was made by Mrs. Hardy seconded by Mrs. Abshire that the following resolution be adopted to-wit:

RESOLUTION NO. 3581, M-C SERIES

Resolution accepting Substantial Completion for ST24-1 Sulphur 2023 Street Pavement Marking Improvements.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for for ST24-1 Sulphur 2023 Street Pavement Marking Improvements.

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

The next item on the agenda is consideration of going into Executive Session to discuss the following claim:

Johnnie & Teresa Allemang – Claim Number 4.661/22PPLBI58620.

Motion was made by Mrs. Abshire seconded by Mrs. Hardy that they enter into executive session (6:20 p.m.). Motion carried unanimously.

Upon returning, motion was then made by Mr. Nezat seconded by Mrs. Thomas to reconvene (6:25 p.m.). Motion carried unanimously.

The next item on the agenda is a resolution approving proposed settlement and authorizing Mayor Danahay to settle the following claim.

Johnnie & Teresa Allemang – Claim Number 4.661/22PPLBI58620.

Motion was made by Mrs. Abshire seconded by Mrs. Hardy that the following resolution be adopted to-wit:

RESOLUTION NO. 3582, M-C SERIES

Resolution approving proposed settlement and authorizing Mayor Danahay to settle the following claim:

Johnnie & Teresa Allemang – Claim Number 4.661/22PPLBI58620

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve proposed settlement and authorize Mayor Danahay to settle the following claim:

Johnnie & Teresa Allemang – Claim Number 4.661/22PPLBI58620

A vote was then called with the results as follows:

YEAS: Mrs. Ellender, Mr. Nezat, Mrs. Hardy, Mrs. Abshire, Mrs. Thomas

NAYS: None

ABSENT: None

And the said resolution was declared duly adopted on this 11th day of March, 2024.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

There being no further business to come before the Council, the Chairman declared the meeting adjourned.

ATTEST:

ARLENE BLANCHARD, Clerk

DRU ELLENDER, Chairman

3/11/24
6:30 P.M.